

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

STEPHEN L. HARRIS,

Plaintiff,

v.

ILLINOIS CENTRAL RAILROAD
COMPANY, d/b/a Canadian National/
Illinois Central Railroad Company,

Defendant.

Civil No. **05-4179-JLF**

ORDER

PROUD, Magistrate Judge:

Before the Court is defendants' Motion for Physical Exam. (**Doc. 11**). Plaintiff has not responded to the Motion, and the time for doing so has now expired. The court deems the failure to respond to be an admission of the merits of the Motion. **SDIL-LR 7.1(g)**.

Plaintiff alleges that he has suffered "severe and permanent injuries to his back, neck, spine, knees, arms and body." **Doc. 1, ¶7**. Defendant has scheduled an examination by Peter J. Anderson, M.D. Dr. Anderson's curriculum vitae is attached to defendant's Motion. Dr. Anderson appears to be a well-qualified orthopedic surgeon. Based on lack of an objection by plaintiff, the Court finds that an orthopedic surgeon is suitable to examine the injuries in issue.

Upon consideration and for good cause shown, defendants' Motion for Physical Exam. (**Doc. 11**) is **GRANTED**. Plaintiff is ordered to appear for physical examination by Peter J. Anderson, M.D., at the time and place set forth in the motion, or at some other mutually agreeable time and place.

Defendant is ordered to reimburse plaintiff for his reasonable expenses incurred in

attending the examination, and to supply plaintiff's counsel with a copy of Dr. Anderson's report promptly upon receipt of same.

IT IS SO ORDERED.

DATED: May 25, 2006.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE